

# HB3231



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB3231

by Rep. Daniel J. Burke

#### SYNOPSIS AS INTRODUCED:

510 ILCS 70/3.01

from Ch. 8, par. 703.01

Amends the Humane Care for Animals Act. Provides that no person may knowingly beat, cruelly treat, torment, starve, overwork, or otherwise abuse any companion animal in the presence of a minor. Provides that any person convicted of this violation shall be subject to a fine of \$250 and ordered to perform community service for not less than 200 hours, if community service is available in the jurisdiction, in addition to any other authorized penalties. Provides that, at the discretion of the court, a defendant convicted of this offense shall be liable for the cost of any counseling required for the minor.

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CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning animals.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Humane Care for Animals Act is amended by  
5 changing Section 3.01 as follows:

6 (510 ILCS 70/3.01) (from Ch. 8, par. 703.01)

7 Sec. 3.01. Cruel treatment.

8 (a) No person or owner may beat, cruelly treat, torment,  
9 starve, overwork or otherwise abuse any animal.

10 (b) No owner may abandon any animal where it may become a  
11 public charge or may suffer injury, hunger or exposure.

12 (c) No person may knowingly beat, cruelly treat, torment,  
13 starve, overwork, or otherwise abuse any companion animal in  
14 the presence of a minor. As used in this Section, "in the  
15 presence of a minor" means in the physical presence of a person  
16 under 18 years of age or knowing or having reason to know that  
17 a person under 18 years of age is present and may see or hear an  
18 act constituting a violation. Any person convicted of a  
19 violation under this subsection shall be subject to a fine of  
20 \$250 and ordered to perform community service for not less than  
21 200 hours, if community service is available in the  
22 jurisdiction. The order shall be in addition to any other  
23 penalties authorized by this Section. At the discretion of the

1 court, a defendant convicted of a violation under this  
2 subsection shall be liable for the cost of any counseling  
3 required for the minor.

4 (d) A person convicted of violating this Section is guilty  
5 of a Class A misdemeanor. A second or subsequent conviction for  
6 a violation of this Section is a Class 4 felony. In addition to  
7 any other penalty provided by law, upon conviction for  
8 violating this Section, the court may order the convicted  
9 person to undergo a psychological or psychiatric evaluation and  
10 to undergo any treatment at the convicted person's expense that  
11 the court determines to be appropriate after due consideration  
12 of the evidence. If the convicted person is a juvenile or a  
13 companion animal hoarder, the court must order the convicted  
14 person to undergo a psychological or psychiatric evaluation and  
15 to undergo treatment that the court determines to be  
16 appropriate after due consideration of the evaluation.

17 (Source: P.A. 92-650, eff. 7-11-02.)